

09/555115

410 Rec'd PTO 24 MAY 2000

FORM PTO-1390
(REV 10-94)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

12136.1USWO

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

INTERNATIONAL APPLICATION NO.

PCT/US98/25107

INTERNATIONAL FILING DATE

01 December 1998 (01.12.98)

PRIORITY DATE CLAIMED

02 December 1997 (02.12.97)

TITLE OF INVENTION

NON-TOXIC IMMUNE STIMULATING ENTEROTOXIN COMPOSITIONS

APPLICANT(S) FOR DO/EO/US

BOHACH, Gregory I.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. Below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
Copy of previously recorded assignment, recorded on 05 December 1997 under Reel/Frame 8997/0584

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)X

INTERNATIONAL APPLICATION NO.

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PCT/US98/25107

12130 SWO

17. x The following fees are submitted:

CALCULATIONS PTO USE ONLY

BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):

Search Report has been prepared by the EPO or JPO.....\$840.00

International preliminary examination fee paid to USPTO
(37 CFR 1.492)\$670.00No international preliminary examination fee paid to USPTO (37 CFR 1.482)
but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$690.00Neither international preliminary examination fee (37 CFR 1.482) nor
international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$970.00International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(2)-(4)\$96.00**ENTER APPROPRIATE BASIC FEE AMOUNT = \$670.00**Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
|---|--------------|--------------|------------|----------|--|
| Total claims | 26 | -20 = 6 | X \$18.00 | \$108.00 | |
| Independent claims | 3 | -3 = 0 | X \$78.00 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$260.00 | \$ | |

TOTAL OF ABOVE CALCULATIONS = \$778.00Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity
Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL = \$778.00Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

+ \$

TOTAL NATIONAL FEE = \$778.00Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+ \$

TOTAL FEES ENCLOSED = \$778.00

| | |
|---------------|----|
| Amount to be: | |
| refunded | \$ |
| charged | \$ |

- a. X A check in the amount of \$778.00 to cover the above fees is enclosed.
- b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 13-2725. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Ronald A. Daignault
(SIGNATURE: _____)

SEND ALL CORRESPONDENCE TO:

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

Ronald A. Daignault
NAME

25,968
REGISTRATION NUMBER

001130 4 5 5 5 1 1 5

410 Rec'd PCT/PTO 24 MAY 2000
09/555115
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bohoch, Gregory
Serial No.: Unassigned Filed: Unassigned
Docket: 12136.1USWO Due Date: June 2, 2000
Title: NON-TOXIC IMMUNE STIMULATING ENTEROTOXIN COMPOSITIONS

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL415943735US

Date of Deposit: May 24, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By: 
Name:

Assistant Commissioner for Patents
Attn: BOX PCT
Washington, D.C. 20231

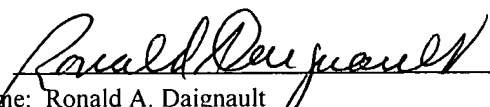
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ US Chapter II Demand (2 pages) with attached Recorded Assignment (4 pages).
- ☒ Preliminary Amendment (1 pages) with attached Abstract (1 page).
- ☒ A check in the amount of \$778 to cover filing fee.
- ☒ Return postcard

Please charge any additional required fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
3100 Norwest Center, Minneapolis, MN 55402
(612) 332-5300

By: 
Name: Ronald A. Daignault
Reg. No.: 25,968
Initials: RAD/IPD/KMC/mls